



Frank Edelblut
Commissioner

Christine Brennan
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STATE OF NEW HAMPSHIRE
DEPARTMENT OF EDUCATION
Division of Educator Support and Higher Education
Higher Education Commission
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MINUTES OF THE EMERGENCY MEETING OF DECEMBER 15, 2020

Due to the COVID 19 pandemic, an emergency meeting of the Higher Education Commission was held via video conference on Tuesday, December 15, 2020 at 5:00 p.m. with the following members present:

Donald Birx, Chair
Sr. Paula Marie Buley, Vice Chair
Michael Apfelberg
Frank Edelblut
Alfred Williams
Mark Laliberte
Charles Lloyd
Todd leach
James Dean
Paul LeBlanc
Joseph Favazza
Kevin O'Shea
Michele Perkins
Mark Rubinstein
Susan Stuebner

The following members were not present:

Mark Laliberte
Susan Huard
Kim Mooney

- 1) Chair Brix called the meeting to order. Mr. Edelblut read the emergency authorization and a roll call vote was taken by Director Appleby.

Mr. Edelblut moved, seconded by Charles Lloyd, that the Commission go into non-public pursuant to RSA 91-A3 II (c) to protect the reputation of an individual or entity. Motion passed without dissent. A roll call was taken by Director Appleby.

- 2) Director Appleby asked Attorney Bond to report on the American School of Nursing and their suspension of operations. Attorney Bond reported that Trigram Education Partners, LLC d/b/a American School of Nursing is in financial trouble and unable to provide refunds to their students for tuition or provide services for the tuition which was paid. Any career school is required under RSA 188-G:3 to maintain an surety bond. Attorney Bond reported that the Department of Education received a cancellation notice of Trigram Education Partners, LLC d/b/a American School of Nursing's surety bond in September of 2020, with an expiration date of December 26, 2020. It was recommended that the Commission make a finding that the school was unable to meet the financial obligations to its students, and consider an emergency suspension of the career school license pursuant to RSA 541-A:30 III.

Mr. Edelblut moved, seconded by Charles Llyod, that the Commission issue an Order immediately suspending the career school license of Trigram Education Partners, LLC d/b/a American School of Nursing on an emergency basis pursuant to NH RSA 541-A:30 III based on the school's demonstrated inability to faithfully perform the terms and conditions of contracts for tuition and other instructional fees entered between itself and it's students, it's failure to comply with the statutory obligations of NH career schools, and for the additional reasons set forth in the draft order. Motion passed without dissent. A roll call was taken by Director Appleby.

Mr. Edelblut moved, seconded by Charles Llyod, that the Commission direct the Department of Education to take any and all appropriate action against the surety bond held by Atlantic Specialty Insurance Company to recover tuition and other student fees on behalf of impacted students of Trigram Education Partners, LLC d/b/a American School of Nursing based on Trigrams failure to adhere to the requirements of the bond, specifically, its failure to faithfully perform the terms and conditions of contracts for tuition and other instructional fees entered into between itself and its students. Motion passed without dissent. A roll call was taken by Director Appleby

Mr. Edelblut moved, seconded by Melinda Treadwell, moved that the Commission authorize the Department of Education to communicate this order to the public and effected students, who may have suffered harm due to Trigrams actions. Motion passed without dissent. A roll call was taken by Director Appleby.

Mr. Edelblut moved, seconded by Charles Llyod, to move out of Non-public. Motion passed without dissent. A roll call was taken by Director Appleby.

Mr. Edelblut moved, seconded by Charles Llyod, to adjourn the meeting at 5:45 p.m. Motion passed without dissent. A roll call was taken by Director Appleby.